

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)
)
Revitalization of the AM Radio Service) MM Docket No. 13-249
Further Notice of Proposed Rule Making)
)

To: Marlene H. Dortch, Secretary
Federal Communications Commission

For: The Commission

COMMENTS OF
NEW WORLD RADIO, INC.
GLOBAL RADIO, L.L.C.
POTOMAC RADIO, LLC

New World Radio, Inc., Global Radio, L.L.C., and Potomac Radio, LLC, (collectively "New World Radio Group"), hereby submit these Comments in connection with the above-referenced *Further Notice of Proposed Rule Making*, 30 FCC Rcd 12145 (2015) ("FNPRM"), seeking comment on proposed modifications to the Commission's Part 73 rules governing the AM radio service and intended to revitalize the radio service in order to enable AM radio

stations to better serve their listening public. In support thereof, New World Radio Group states as follows.

New World Radio Group is the owner and operator of three 50 kW class D radio stations: WUST – AM 1120 kHz, Washington, D.C., WCRW – AM 1190 kHz, Leesburg, VA, and WNWR – AM 1540 kHz, Philadelphia, PA. These are local stations serving the local programming needs of the multicultural populations of their communities.

The constraints on AM broadcast stations caused by the Commission's restrictions on interference between stations operating on the same and adjacent frequencies is detrimental to all but an elite group of Class A stations broadcasting from communities and on frequencies that are uniformly at great distance from other markets. For example, **WUST** (Washington, D.C.), operating on 1120 kHz, must protect KMOX, St. Louis, MO, Class A (I-A) (communities 710 miles apart) and KPNW, Eugene, OR, Class B (II-A) (communities 2,381 miles apart). **WCRW** on 1190 kHz, Leesburg, VA must protect KEX, Portland, OR, Class A (I-B) (communities 2,318 miles apart). **WNWR** on 1540 kHz, Philadelphia, PA must protect KXEL, Waterloo, IA, Class A (I-B) (communities 909 miles apart). Under this scheme, the Class A stations, by virtue of the vagaries of skywave propagation, are granted city grade coverage and interference protection far beyond any reasonable measure of service they have a right to expect to communities and well outside their primary or even secondary markets. The effect of this hegemony proportionally diminishes coverage—both during critical hours and at night—for daytime-only stations, such as those that comprise the New World Radio Group. If the rules are changed, by reducing the protections for Class A stations, daytime-only stations will be able to reach successfully and better serve their own local markets during expanded time, with

no reduction in the ability of the Class A stations to serve the local areas and populations where the Class A stations derive their listeners and their attendant advertising revenue.

New World Radio Group urges the Commission to revise its interference rules, as contained in Section 73.182, so that AM radio stations will not be entitled to protection of their signals outside of their local radio markets. The result will allow local broadcasters to increase their local service in their markets, without causing any disadvantageous effect on the signals of co-channel and adjacent channel stations in their own respective markets. The clear intent of such a change is to enable all broadcasters to improve their local service. It is precisely the effect of this localism that the radio broadcast community has long argued is the singular benefit radio broadcasting offers to the public.

Other than "bragging rights" for the Class A stations, New World Radio Group submits that there are no valid economic or service reasons to protect AM stations' signals in areas far removed from their local markets. Class A stations are not deriving material numbers of listeners or material advertising support beyond their local areas of service. One need only listen to any Class A station in order to learn quickly that the available news, sports, entertainment, and advertising are all locally oriented. No advertiser is going to spend money on KMOX with the intent of promoting services in Washington, D.C. or any community closer to St. Louis. Moreover, with the availability of streaming, an individual outside of St. Louis who wishes to listen to KMOX, can do so on knox.com and receive a clear broadcast signal, something not otherwise available over-the-air outside of the St. Louis area.

The only result of the folly of maintaining the so-called clear channel service of the Class A stations is to prevent other distant co-channel and adjacent channel stations from providing adequate and sustainable service to their own respective communities.

Technology has made irrelevant the claims of service and the security imperatives claimed by these co-channel and adjacent channel stations that had consequence in the past: In 1951, in order to thwart the threat posed by bombers during the Cold War, CONELRAD utilized AM radio for possible emergency broadcasting in the event of enemy attack. In 1963, after the development of intercontinental ballistic missiles reduced the likelihood of a bomber attack, the Emergency Broadcast System replaced CONELRAD. After 1997, the current Emergency Alert System was implemented and it no longer relies on AM radio as the sole distributor of emergency broadcasts. At present, there are so many other means of information distribution. EAS messages are transmitted via AM, FM, broadcast television, cable television and Land Mobile Radio Service. Digital television, satellite television, and digital cable providers, along with satellite radio, IBOC, DAB, DBS, and digital radio broadcasters are all required to participate in the EAS. In addition, the Wireless Emergency Alert System is in place, meeting the needs of communities across America through cellular devices. The FCC has adapted to the emerging technologies. It should be clearly recognized that there is no longer any authoritative national security reliance on AM clear channel stations couched in their former role of defending the nation by providing blanket coverage.

In turn, the community of disadvantaged AM broadcasters is significant. The radio stations that are co-channel or on adjacent channels, must limit their broadcast service in order to accommodate the Class A stations. Many of these stations are individually owned stations or are part of small groups, such as New World Radio Group. Others are owned by women

and minorities or serve minority or multicultural groups. It is a shame that stations such as New World Radio Group's stations must sign off at sunset, especially in the winter months when days are short. As the Commission has recognized in this AM Revitalization proceeding, the AM service is at a disadvantage to other services and needs significant improvements.

The recent opening of the FM translator service for AM stations is certainly a benefit. But, as the Commission and the AM community are well aware, the benefit was not evenly distributed and was not available where it was most needed. AM stations in smaller and rural communities were able to find available frequencies and service contours that would have a measurable service impact. Urban stations, such as New World Radio Group's stations, could not benefit, as there were no available frequencies that could be used to broadcast an FM signal with any appreciable service contour. The only means by which such stations can improve their service to the public is by a reduction in the contour protections, enabling AM stations to broadcast to their local communities with more robust service, day and night. This will bring a true revitalization to AM radio service.

The current rules arrogate the right to distant and insignificant service to a handful of Class A stations, granting unnecessary and meaningless access to communities far from their true markets. If the rules are changed, many more stations will be able to reach populations directly interested in hearing their local signals through the use of the full AM broadcast spectrum—at all hours. This would truly serve the public interest far better than the current system that prevents other stations from more completely serving their own local communities solely due to existing protection requirements. Is this kind of protection still necessary? What benefit does it provide to the public, and at what substantial cost to other stations that are

prevented from more completely serving their own local communities by these protection requirements?

Considering the benefits that reduced levels of interference protection will provide, with no real harm to stations losing such protection, New World Radio Group urges the Commission, for the good of many over the perquisites of a few, to reduce the interference-free contours available to AM radio stations and enable all AM radio stations to serve their local communities with viable over-the-air signals available to listeners on a full-time basis/

Respectfully submitted,

**NEW WORLD RADIO, INC.,
GLOBAL RADIO, L.L.C.
POTOMAC RADIO, LLC**

By:

A handwritten signature in black ink, appearing to read "Alan Pendleton", written over a horizontal line.

Alan Pendleton, President & CEO
2890 Emma Lee Street
Suite 201
Falls Church, VA 22042
703-532-0400